

1 WAYNE R. WOLSKI, ESQ. State Bar No. 118600  
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8 Attorney for Plaintiff Roberta Stanton

9 UNITED STATES DISTRICT COURT  
10  
11 NORTHERN DISTRICT OF CALIFORNIA

12 ROBERTA STANTON,

13 Plaintiff

14 v.

15 TARGET CORPORATION, and DOES 1 to  
16 10, inclusive,

17 Defendants.

Case No. C 07-03543 JCS

**DECLARATION OF WAYNE R.  
WOLSKI IN SUPPORT OF MOTION TO  
REMAND CASE TO STATE COURT  
AND REQUEST FOR ATTORNEY'S  
FEES AND COSTS  
(28 USC 1447(c))**

Date: Friday, September 28, 2007  
Time: 9:30 a.m.  
Dept: Courtroom A, 15<sup>th</sup> Floor  
Judge: Hon. Joseph C. Spero

Accompanying Documents:

1. Notice of Motion and Motion

18  
19 I, Wayne R. Wolski, declare as follows:

20 1. I have personal knowledge of the matters described herein and could competently  
21 testify to them if called as a witness.

22 2. I am the attorney for Plaintiff in the above referenced matter. I have examined each of  
23 the documents appended to this Declaration and know them to be true and correct copies of the  
24 originals of said documents.

25 3. On or about April 25, 2007, I received a Request for Statement of Damages from  
26 Defendant in this matter. On May 14, 2007, I prepared and served upon Defendant a verified  
27 Response to Request for Statement of Damages in the amount of \$205,118.55. True and correct  
28 copies of those documents are attached hereto as Exhibit "A."

1           4.       I first became aware of Defendant's intent to remove this case to Federal Court in a  
2 status teleconference with Defendant on or about July 11, 2007, in conjunction with a meet and confer  
3 requirement pursuant to the Case Management Conference in the San Mateo County Superior Court.

4           5.       At that time and in that conversation, I advised the defense attorney that I would  
5 probably be opposing her intended removal to the Federal Court.

6           6.       In conjunction with my urging Defendant to voluntarily remand this case, I wrote  
7 Defendant two letters. True and correct copies of those letters are appended hereto as Exhibit "B".  
8 In turn, I received two letters from the defense attorney. True and correct copies of those letters are  
9 appended hereto as Exhibit "C".

10          7.       Thereafter, on or about July 17, 2007, and continuing to the present time, I have  
11 expended 19.80 hours in urging the defense attorney to voluntarily stipulate to the remand of this case  
12 to the San Mateo County Superior Court and, thereafter, in preparing this Motion to Remand. My  
13 customarily hourly attorney rate is \$250 per hour for total fees of \$4,950. A true and correct copy of  
14 my itemized billing is appended hereto as Exhibit "D."

15          8.       In addition, I have expended \$5.55 on facsimile, postage and photocopying costs  
16 attendant to this Motion.

17          9.       Attached hereto is a true and correct copy of Plaintiff's Complaint as Exhibit "E."  
18

19               I declare under penalty of perjury under the laws of the State of California that the foregoing is  
20 true and correct. Executed on this 8<sup>th</sup> day of August, 2007, at Santa Rosa, California.  
21

22                               /s/ Wayne R. Wolski  
23                               Wayne R. Wolski, Esq.  
24                               Attorney for Plaintiff  
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